

**REMARKS**

In the July 20, 2004 Office Action, the Examiner noted that claims 1-22 were pending in the application; rejected claims 1-3, 7-10, 14-17, 21 and 22 under 35 USC § 102(b); and rejected claims 4-6, 11-13 and 18-20 under 35 USC § 103(a). In rejecting the claims, U.S. Patent 5,809,454 to Okada et al. (Reference A) was cited. Claims 1-22 remain in the case. The Examiner's rejections are traversed below.

**The Application**

The application is directed to a data reproduction device for reproducing compressed multimedia data which includes a speed conversion unit to change the playback speed of audio data prior to decoding or decompressing.

**The Prior Art: U.S. Patent 5,809,454 to Okada et al.**

The Okada et al. patent is directed to an audio reproducing apparatus that includes a voice speed converting function. As illustrated in Fig. 1, decoded audio is received from MPEG audio decoder 3 prior to speed conversion in voice speed converter 35 to speed up or slow down the output.

**Rejections under 35 USC § 102(b)**

In item 4 on pages 2-4 of the Office Action, claims 1-3, 7-10, 14-17, 21 and 22 were rejected under 35 USC § 102(b) as anticipated by Okada et al. Although many of the components recited in these claims are taught by Okada et al., they are not arranged as recited. Apparently in an effort to read the elements recited in claims 1 and 2 on the components as connected in the device taught by Okada et al., the Examiner failed to match the components with the operations performed by the recited elements. That is the only reason that can be seen for identifying MPEG audio decoder 3 in Fig. 1 of Okada et al. as "a speed conversion unit thinning out the frame of the audio data or repeatedly outputting the frame" (e.g., claim 1, lines 4-5) which appears to most closely correspond to voice speed converter 35 which was identified as corresponding to "a reproduction unit decoding the frame of the audio data received from the conversion unit and reproducing voice" (e.g., claim 1, last two lines) which most closely corresponds to MPEG audio decoder 3.

Even though it is believed that the limitation "decoding ... the audio data received from the conversion unit" in reciting the reproduction unit prevents reading claims 1 and 2 on Okada et al. as in the Office Action, all of the independent claims have been amended to clarify that the

speed conversion unit operates on audio data "prior to decoding of the audio data or with the audio data compressed" (e.g., claim 1, line 5). It is clear that this is not how the apparatus disclosed by Okada et al. operates and therefore, it is submitted that claims 1, 2, 9 and 16 and claims 3, 7, 8, 10, 14, 15, 17, 21 and 22 are not anticipated by Okada et al.

#### **Rejections under 35 USC § 103(a)**

In item 6 on pages 4-6 of the Office Action, claims 4-6, 11-13 and 18-20 were rejected under 35 USC § 103(a) as unpatentable over Okada et al. in view of "Applicant's admitted prior art." However, there is nothing in the so-called "Applicant's admitted prior art" teaching or suggesting how to convert the speed of audio data "prior to decoding of the audio data or with the audio data compressed;" nor has anything been cited or found in Okada et al. suggesting that it would be possible or desirable to perform speed conversion prior to decoding. While there are prior art devices that perform compression and expansion on real-time audio signals, like the compressor/expander in the system taught by Okada et al., they inherently operate differently than the speed conversion unit recited in claims 1 and 2 that operates on encoded or compressed audio signals. For the above reasons, it is submitted that claims 1-3, 7-10, 14-17, 21 and 22, as well as claims 4-6, 11-13 and 18-20 which depend from claims 3, 10 and 17, respectively, patentably distinguish over Okada et al. in view of "Applicant's admitted prior art."

#### **Summary**

It is submitted that Okada et al., taken alone or in combination with "Applicant's admitted prior art" does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-22 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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